

REQUIREMENTS

A. Cases are denied at application if:

1. An adult or a minor parent, who is head of household, fails to sign the Consent for Release of Information form (DHR/FIA 1176)
2. One or both parents in a 2-parent family fail to sign the 1176

Note: Do not deny the application if a minor parent, who is not head of household, fails to sign the 1176 at application. The individual's needs are not included in the assistance unit.

B. Active case sanctions are either full-family or individual

1. Impose a full-family sanction if an adult parent returns to the household and refuses to sign the 1176
2. Impose individual sanctions if an adult or minor parent refuses to participate in or fails to comply with FIP substance abuse treatment provisions
 - Include children who become minor parents within the household but fail to sign the 1176 as required
 - Pay TCA benefits to a third party payee if the head of household is sanctioned for failure to enroll or maintain enrollment in an appropriate and available treatment program

Note: If the head of household is sanctioned for failing to keep the initial health screen appointment, a third party payee is not necessary.

3. Lift either type of sanction when the individual complies with substance abuse treatment programs

C. Sanction an active case in which an adult or minor parent refuses to comply with substance abuse treatment programs as follows:

1. Follow the conciliation process
2. Impose a full-family or individual sanction as appropriate

Note: If a sanction is imposed, the entire TCA amount, or the individual's share, respectively, is treated as phantom income.

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FULL-FAMILY SANCTIONS

Treat the family the same as any new applicant for assistance if a case is inactive for a month or more due to a sanction for failing to sign Form 1176

1. If the family is otherwise eligible:
 - Lift the sanction when the adults and minor parents sign Form 1176
2. If the individual complies within the first non-payment month, lift the sanction and pay the full benefit for that month as soon as the individual complies

INDIVIDUAL SANCTIONS

- A. To impose an individual sanction, remove the person's needs from the TCA benefit and issue a new cash benefit
 1. Send a NOAA notifying the customer of the reduction in benefits and why
 2. Subtract the total benefits for the household size without the individual from the total benefits for the household including the sanctioned person
 - Pay the cash benefit is the amount for the smaller size assistance unit, and
 - The difference becomes the phantom income for food stamps also
- B. If the sanctioned individual is a head of household who refuses or fails to enroll or maintain participation in an appropriate and available program, pay the new benefit amount to a third party

Note: If the customer does not choose a payee, the Local department becomes the payee

- C. Individuals sanctioned for non compliance with substance abuse treatment provisions should be referred for Family Services intervention

Note: If head of the household, the sanctioned individual is still subject to work requirements.

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FOOD STAMPS

If the TCA case is closed because of a full-family substance abuse sanction or reduced because of an individual substance abuse sanction, food stamps are based on:

1. The TCA income (phantom income)
2. Any other income, still being received by the household members, used to determine financial eligibility prior to the sanction

Note: If the TCA case has been denied for failure to sign the 1176, the food stamp application is processed and benefits are paid for all eligible household members.

MEDICAL ASSISTANCE

- A. If the adult or minor parent does not sign the 1176, and the TCA case is denied or closed, the family may remain eligible for MA
- B. If an individual household member refuses to participate or fails to comply with substance abuse treatment provisions and a sanction is imposed, the sanctioned individual may remain eligible for MA

Note: CARES automatically tests MA eligibility for the sanctioned family or individual in the FAC and MCHP tracks.

EXAMPLES

1. Ms. Kelp receives assistance for herself and 1 child. Her husband, the child's father, returns to the household.
 - January 5 Mr. Kelp refuses to sign the 1176 as required for recertification
 - January 8 The family is mailed a conciliation letter
 - January 12 The case manager calls Mr. Kelp and tells him to come in and sign the 1176
 - January 17 Mr. Kelp fails to keep his appointment to sign the 1176 and, when phoned, offers no excuse except "I have my reasons"
 - January 24 A Notice of Adverse Action (NOAA) informs the Kelps the case will be closed and why

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- February 1 The full-family sanction goes into effect
- February 3 Mr. Kelp signs the 1176 and full benefits are paid for February
2. Ms. Algae receives assistance for herself, her 2 sons, her daughter Lena, and Lena's newborn son. Lena, a minor parent, needs to sign an 1176
- January 10 Lena refuses to sign the 1176 at recertification
- January 13 Despite a conciliation letter sent to Ms. Algae and Lena, Lena still refuses to cooperate
- January 16 Ms. Algae reports that she has tried to get Lena to come in to sign the form, but her daughter continues to refuse
- January 25 A NOAA to Ms. Algae and Lena informs them that Lena's needs will be removed from the benefit amount and why but her MA will remain active
- February 1 The sanction is imposed and the new benefit amount is computed as follows
- | | |
|---------------------------|-----------------------------------|
| Cash benefit for 5 people | \$557 |
| Cash benefit for 4 people | \$481 (new cash benefit) |
| Phantom Income | \$ 76 (benefit amount difference) |
3. Mr. and Mrs. Elkins receive TCA for themselves and 2 children. Mr. Elkins, who is head of household, has never shown any indication of substance abuse. However, an Identification and Treatment Notification form, DHR 1178, was received from the Managed Care Organization indicating that Mrs. Elkins was assessed, referred, and enrolled in a treatment program.
- November 19 A second 1178 reaches the case manager from the treatment provider that indicates Mrs. Elkins is not maintaining active participation in her treatment program
- November 23 The case manager sends a conciliation letter
- November 27 The case manager phones and talks with Mrs. Elkins, but she fails to return to the program
- December 6 Again, the case manager tries to persuade Mrs. Elkins to continue with her treatment program to no avail
- December 18 A NOAA informs Mr. and Mrs. Elkins that Mrs. Elkins' needs will be removed from the benefit amount and why
- January 1 The sanction is imposed and the new benefit amount is computed as follows

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Cash benefit for 4 people	\$481
Cash benefit for 3 people	\$399 (new benefit)
Phantom Income	\$ 82 (difference)

Mr. Elkins remains the payee.

4. Mr. Howard receives TCA for himself and 2 children.

October 9	An 1178 reaches the case manager that Mr. Howard did not keep his initial health screening appointment						
October 13	The case manager sends a conciliation letter						
October 16	The case manager leaves a message for Mr. Howard to call						
October 22	The case manager is told on the phone that Mr. Howard is not available, and again leaves a message						
November 2	A NOAA informs Mr. Howard that his needs will be removed from the benefit amount and why						
December 1	The sanction is imposed and the new benefit is computed as follows						
	<table> <tr> <td>Cash benefit for 3 people</td> <td>\$399</td> </tr> <tr> <td>Cash benefit for 2 people</td> <td>\$313 (new benefit)</td> </tr> <tr> <td>Phantom Income</td> <td>\$ 86 (difference)</td> </tr> </table>	Cash benefit for 3 people	\$399	Cash benefit for 2 people	\$313 (new benefit)	Phantom Income	\$ 86 (difference)
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Mr. Howard continues as payee of the benefit because a third party payee is not required when the head of household is sanctioned for failure to keep the initial screening appointment

5. Mrs. Lee receives TCA for herself and 3 children.

December 18	An 1178 reaches the case manager from the treatment provider indicating that Mrs. Lee failed to keep her appointment to enroll in an appropriate and available treatment program
December 22	The case manager sends a conciliation letter
December 28	The case manager phones and Mrs. Lee, who claims she forgot, promises to enroll, but does not
December 30	The case manager calls again, but leaves a message because Mrs. Lee is not at home

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January 11	A NOAA informs Mrs. Lee that her needs will be removed from the benefit amount, why, and the need to name a third party payee to receive the household's TCA benefits						
January 25	Mrs. Lee does not name a third party payee. The local department becomes the payee and refers the case to Family Services for intervention						
February 1	The sanction is imposed and the new amount, which will be paid to the local department is computed as follows						
	<table> <tr> <td>Cash benefit for 4 people</td><td>\$481</td></tr> <tr> <td>Cash benefit for 3 people</td><td>\$399 (new benefit)</td></tr> <tr> <td>Phantom Income</td><td>\$ 82 (difference)</td></tr> </table>	Cash benefit for 4 people	\$481	Cash benefit for 3 people	\$399 (new benefit)	Phantom Income	\$ 82 (difference)
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Cash benefit for 3 people	\$399 (new benefit)						
Phantom Income	\$ 82 (difference)						

ADDITIONAL INFORMATION

- Application — Substance Abuse
- Work and Education Requirements — Work Activities
- Assistance Unit — Minor Parent
- Payees — Third Party Payees
- Sanctions — Conciliation Process